

## **REMARKS**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and the following remarks. Claims 1-62 are pending in this application. Applicants are canceling herewith Claims 28-40, 45 and 54-62, and Claims 1, 6, 11, 16, 22, 27, 41-44, and 46-53 are being amended herewith. Claims 1-27, 41-44, 46-53 and 63 are therefore subject to examination.

### **The Office Action:**

Claims 1-27, 42-47 and 49-53 are allowed. Claims 41 and 48 were rejected under 35 U.S.C. §103(a) as being obvious and unpatentable in view of the patent to English, Jr. (U.S. Patent No. 4,267,927) in view of the patent to Hager et al. (U.S. Patent No. 6,391,935). Applicants respectfully traverse the foregoing rejection.

### **The Rejection Under 35 U.S.C. §103:**

Claims 41 and 48 were rejected under 35 U.S.C. §103(a) as being obvious and unpatentable in view of the patent to English, Jr. in view of the patent to Hager et al. The rejection states that English teaches a method of forming a product including applying to a layer of bubble pack 38 having a plurality of bubbles that extend outwardly from pack 38 and also have interstices between adjacent bubbles a composition 34 such that composition 34 at least partially fills the interstices of pack 30, and curing the composition 34 which is elastic in that such is compressible. The rejection acknowledges that English does not teach the polyurethane 34 to be viscoelastic. The rejection further states that Hager et al. teaches using polyurethane as a cushioning material, and that the polyurethane can be a specific viscoelastic polyurethane. The rejection concludes that it would have been obvious to use

the viscoelastic polyurethane of Hager et al. as the polyurethane in English, Jr. Applicants respectfully disagree.

Applicants are amending Claims 41 and 48 herewith to provide that the material from which the bubble pack is made is thermoplastic polyurethane and the material from which the filling material is made is a thermosetting viscoelastic polyurethane composition. Those claims further provide that a chemical bond is formed between the bubble pack and the viscoelastic polyurethane. Neither English, Jr. nor Hager et al. disclose forming a chemical bond between these two components, and such would not be obvious therefrom. Therefore, applicants submit that Claims 41 and 48 are not obvious in view of English, Jr. and Hager et al. Accordingly, applicants submit that the rejection of Claims 41 and 48 under 35 U.S.C. §103(a) should be withdrawn.

**Other Amendments:**

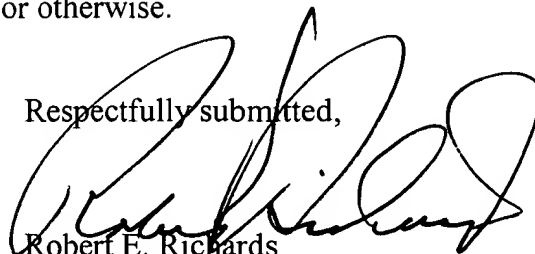
Applicants are voluntarily amending herewith several claims so as to use consistent terminology, to correct various typographical errors and to correct various dependency errors. Applicants submit that these voluntary amendments do not narrow the scope of any of those claims so amended.

**Conclusion:**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments. Applicants submit that all claims are in condition for allowance. Such action is courteously solicited. Applicants further request that the

Examiner call the undersigned counsel if allowance of the claims can be facilitated by examiner's amendment, telephone interview or otherwise.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert E. Richards', written over the typed name.

Robert E. Richards

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